HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 28307 of 2007

Dated 31st December, 2007

Between

Satish Surya

…Petitioner

and

Chief General Manager (Personal)
Singareni Collaries Company Limited,
Kothagudem, Khammam District, and, anr

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :28307 of 2007

ORDER:

Heard the learned Counsel for the petitioner and, the learned Standing Counsel appearing for the first respondent-Singareni Collieries Company Limited. At their request, the Writ Petition is finally disposed of, at the admission stage, in view of the Judgment of the Supreme Court in the case of The *Excise Superintendent, Malkapatnam Vs. KBN Visweshwara Rao* { 1996 (3) SLR SC 649 }

It appears, there are some vacancies of Radiographer in the first respondent-Company and for filling up of the said posts, it had addressed the second respondent- District Employment Officer to sponsor candidates for making appointments to the post of

Radiographer. It is the grievance of the petitioner that though he is qualified and eligible for the said post, but however, the first respondent confined the consideration only to the candidates sponsored by the Employment Exchange.

In the judgment referred to above, the Apex Court held that the requisitioning authority need not confine the recruitment to the candidates sponsored by the Employment Exchange only and it shall call for the candidates by notifying the vacancies in the news papers having wider circulation and also displaying on their office notice boards . In view of the judgment of the Supreme Court, referred to above, the respondents cannot confine consideration only to the candidates sponsored by the Employment Exchange. If selection is not completed as on today, the respondents are directed to allow the petitioner to appear for the written test and interview to be held on 1-1-2008 or any other subsequent date for appointment to the posts of Radiographer, along with the candidates sponsored by the Employment Exchange, if the petitioner is otherwise eligible and qualified. It is made clear that it is open for the respondents to consider the claim of the petitioner on their own merits.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 31-12-2007
Note: Issue CC today
(Bo) Msnr.